

### REMARKS

By this amendment, applicants have amended claim 3 to recite that the fatty acid has a viscosity ranging between 5 and 60 Pa.s at 20°C. See page 4, lines 4 - 6 of applicants' substitute specification. Applicants have also amended claim 11 to depend from claim 3.

In view of the change of dependency of claim 11 and noting that claims 12 and 16 depend from claim 11, reconsideration and withdrawal of the rejection of claims 11, 12 and 16 under 35 USC 112, second paragraph, are requested.

Claims 2 - 5 and 7 - 16 stand rejected under 35 USC 102(b) as allegedly being anticipated by United States Patent No. 4,280,915 to Kercheville. Applicants traverse this rejection and request reconsideration thereof.

The present invention relates to a water-base well fluid, a process for controlling the lubricating power of a water-base well fluid and to application of such a process to well fluids with a pH value above 9. According to the present invention, the well fluid comprises a lubricating composition containing at least one non-ionic amphiphilic compound obtained by a reaction of at least one polymerized vegetable oil having a viscosity ranging between 5 and 60 Pa.s at 20°C or at least one fatty acid having a viscosity ranging between 5 and 60 Pa.s at 20°C on at least one aminoalcohol. Such is neither disclosed nor suggested by Kercheville.

The patent to Kercheville discloses a water-based drilling fluid having enhanced lubricating properties in the presence of polyvalent cations. The fluid comprises a mixture of water, finely divided inorganic solids, an alkanolamide of a saturated fatty acid having 8 to 20 carbon atoms, or triglycerides thereof, and an alkanolamide of an

unsaturated fatty acid having 18 carbon atoms, or triglycerides thereof. While the Kercheville patent discloses the use of an alkanolamide of a saturated fatty acid having 8 to 20 carbon atoms and an alkanolamide of an unsaturated fatty acid having 18 carbon atoms, the Kercheville patent does not disclose that the fatty acids should have a viscosity ranging between 5 and 60 Pa.s at 20°C, as presently claimed. Accordingly, the Kercheville patent does not anticipate the presently claimed invention.

Claims 3 - 5, 11 and 13 stand rejected under 35 USC 102(b) as allegedly being anticipated by the Derwent Abstract for SU 1493622. Applicants traverse this rejection and request reconsideration thereof.

The Derwent Abstract for SU 1493622 discloses a clay suspension employed in the preparation of drilling mud and a novel stabilizer for clay suspensions obtained by reacting the residues of cottonseed oil soapstock with mono-or diethanolamine. However, there is no suggestion in the abstract that the cottonseed soapstock should have a viscosity ranging between 5 and 60 Pa.s at 20°C. Accordingly, the Derwent Abstract of SU 1493622 does not disclose the presently claimed invention.

Applicants note the indication of allowable subject matter in claim 6. However, in view of the foregoing amendments and remarks, it is submitted all of the claims now in the application are in condition for allowance.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry,

Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 612.39321X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES

IN THE CLAIMS:

3. (Amended) A water-base well fluid comprising a lubricating composition containing at least one non-ionic amphiphilic compound obtained by reaction of at least one polymerized vegetable oil having a viscosity ranging between 5 and 60 Pa.s at 20°C or at least one fatty acid having a viscosity ranging between 5 and 60 Pa.s at 20°C on at least one aminoalcohol.

11. (Amended) A process for controlling the lubricating power of a water-base well fluid, characterized in that ~~a lubricating~~ at least one amphiphilic compound as claimed in claim ~~4~~ 3 is added to said fluid.